

JOURNAL OF THE HOUSE.

Monday, March 22, 2004.

Met at ten minutes after eleven o'clock A.M., in an Informal Session, with Mr. Petruccelli of Boston in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Eternal God, in entering a new season of the year, a season for new beginnings, let our minds and hearts be filled with joy, hope and trust in You, in each other and in our basic institutions. Spring-time encourages us to reflect on the order, beauty and goodness of the universe which You have created for our benefit. Teach us to use our material and human resources, Your gifts to us, prudently and wisely. In facing our often complex and sensitive policy issues, inspire us to work together. Let our legislative disagreements, as well as our agreements, rest on solid philosophical principles, human and spiritual values and on the furtherance of the common good.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

At the request of the Chair (Mr. Petruccelli), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Resolutions.

Resolutions (filed with the Clerk by Mr. Murphy of Burlington) recognizing the two hundred and seventy-fifth anniversary of the founding of the town of Bedford, were referred, under Rule 85, to the committee on Rules.

Mr. Petrolati of Ludlow, for the committee on Rules, then reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Mr. Rushing of Boston, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Papers from the Senate.

A Bill extending the time for political party committees to organize in the current year (Senate, No. 2264) (on a petition), passed to be engrossed by the Senate, was read.

Under suspension of the rules, on motion of Ms. Story of Amherst, the bill was read a second time forthwith; and it was ordered to a third reading.

Under suspension of the rules, on motion of Mr. Peterson of Grafton, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed, in concurrence.

A Bill clarifying the procedures for municipalities and districts to accept statutes (Senate, No. 2218) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Municipalities, statutes.

Reports

Of the committee on Local Affairs and Regional Government, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1164) of Andrea F. Nuciforo, Jr., Brian A. Joyce and Bruce E. Tarr for legislation relative to the siting of telecommunication facilities;

Telecommunications facilities, siting.

Of the petition (accompanied by bill, Senate, No. 1184) of Marian Walsh, Charles E. Shannon, Richard T. Moore, Brian A. Joyce and Michael F. Rush for legislation to exclude providers of personal wireless services from the definition of a public service corporation for purposes of zoning.

Personal wireless service providers.

And recommending that the same severally be referred to the committee on Government Regulations.

Severally accepted by the Senate, were considered forthwith, under Rule 42; and they were accepted, in concurrence.

Reports of Committees.

By Mr. Scaccia of Boston, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of Ellen Story and other members of the General Court relative to authorizing the State Retirement Board to retire Robert Emmet Fitzgerald, a former State Police officer injured in the line of duty. Under suspension of the rules, on motion of Ms. Story of Amherst, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Robert Emmet Fitzgerald, retirement.

By Mr. Quinn of Dartmouth, for the committee on Banks and Banking, recommending that the communication from the Commissioner of Banks (under Section 2(31) of Chapter 167F of the General Laws) submitting proposed regulations governing national banks and credit unions (House, No. 3860) be placed on file.

Credit unions and banks.

By Mr. Casey of Winchester, for the committee on Taxation, recommending that the biennial report of the Commissioner of Revenue (under Section 10C of Chapter 58 of the General Laws) submitting an equalization and apportionment upon the several cities and towns of the amount of property and proportion of every one thousand dollars of state or county tax which should be assessed upon each city or town (House, No. 2006) be placed on file.

Commissioner of Revenue, property valuations.

Under Rule 42, the reports severally were considered forthwith; and they were accepted. Severally sent to the Senate for concurrence.

By Mr. Koczera of New Bedford, for the committee on Public Service, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3866) of Rachel Kaprielian,

Watertown, retirement benefits.

Prayer.

Pledge of allegiance.

Bedford, anniversary.

Political party committees.

Steven A. Tolman and Peter J. Koutoujian (by vote of the town council) that the retirement board of the city of Watertown be authorized to grant increased retirement benefits to certain former employees of said city,— and recommending that the same be referred to the Senate committee on Ways and Means. Under Rule 42, the report was considered forthwith; and it was accepted, inasmuch as relates to the discharge of the committee. Sent to the Senate for concurrence.

By Mr. Greene of Billerica, for the committee on Natural Resources and Agriculture, asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No. 1716) of Ronald Mariano relative to the costs of the clean-up of Boston Harbor;

Of the petition (accompanied by bill, House, No. 1718) of Ronald Mariano relative to the payment of costs for the clean-up of Boston Harbor; and

Of the petition (accompanied by bill, House, No. 2846) of Robert A. DeLeo and other members of the General Court relative to the cost of fringe benefits for eligible employees of the Water Resources Authority;

By Mr. Koczera of New Bedford, for the committee on Public Service, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3972) of Stephen Kulik, Stephen M. Brewer, Andrea F. Nuciforo Jr., Christopher J. Donelan and Stanley C. Rosenberg relative to transferring group health insurance of retired Franklin County employees to the Commonwealth;

And recommending that the same severally be referred to the committee on Ways and Means.

Under Rule 42, the reports severally were considered forthwith; and they were accepted. Severally sent to the Senate for concurrence in the discharge of the committees.

By Mr. Straus of Mattapoisett, for the committee on Election Laws, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 2782) of Harriett L. Stanley and Bruce E. Tarr (by vote of the town) relative to debt exclusion ballot questions in the town of Groveland,— and recommending that the same be referred to the committee on Local Affairs and Regional Government;

By Mrs. Owens-Hicks of Boston, for the committee on Local Affairs and Regional Government, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 4016) of Debra Tsampas relative to local zoning for micropigmentation practitioners,— and recommending that the same be referred to the committee on Health Care;

By Mr. Greene of Billerica, for the committee on Natural Resources and Agriculture, asking to be discharged from further consideration

Of the petition (accompanied by bill, Senate, No. 1246) of Marc R. Pacheco for legislation to authorize a governmental body to enter into contracts for the operation and maintenance, lease or sale and

modification of water storage and treatment facilities and wastewater treatment facilities, collection and distribution systems, sewer and pump stations; and

Of the petition (accompanied by bill, House, No. 3008) of Stephen Kulik and other members of the General Court relative to the procurement of wastewater treatment and disposal services;

And recommending that the same severally be referred to the committee on State Administration; and

By Mr. Wagner of Chicopee, for the committee on Transportation, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 2727) of Charles A. Murphy (by vote of the town) relative to certain private ways in the town of Burlington,— and recommending that the same be referred to the committee on Local Affairs and Regional Government.

Under Rule 42, the reports severally were considered forthwith; and they were accepted. Severally sent to the Senate for concurrence.

By Mr. Honan of Boston, for the committee on Housing and Urban Development, on Senate, No. 707 and House, Nos. 1508, 2442, 3330 and 4318, an Order relative to authorizing the committee on Housing and Urban Development to make an investigation and study of certain Senate and House documents concerning lodging and affordable housing (House, No. 4591).

By the same member, for the same committee, on Senate, Nos. 714, 733, 735 and 736 and House, Nos. 359, 360, 361, 362, 1490, 1491, 2057, 2969, 2970 and 3480, an Order relative to authorizing the committee on Housing and Urban Development to make an investigation and study of certain Senate and House documents concerning rent escrow (House, No. 4592).

By the same member, for the same committee, on Senate, Nos. 717, 725, 742 and 743 and House, Nos. 1296, 3332 and 3662, an Order relative to authorizing the committee on Housing and Urban Development to make an investigation and study of certain Senate and House documents concerning governmentally involved housing (House, No. 4593).

By the same member, for the same committee, on Senate, Nos. 697, 708, 709, 710, 728, 729 and 2113 and House, Nos. 912, 1295, 1488, 2058, 2604, 2609, 2810, 3290, 3528 and 3660, an Order relative to authorizing the committee on Housing and Urban Development to make an investigation and study of certain Senate and House documents concerning public housing and condominiums (House, No. 4594).

Severally referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Subsequently Mr. Scaccia of Boston, for said committees, reported, in each instance, asking to be discharged from further consideration of the orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

Wastewater treatment services.

Burlington, private ways.

Affordable housing, study.

Rent, study.

Government housing, study.

Condominiums, study.

Boston Harbor, clean up.

M W R A employees, benefits.

Franklin County retirees.

Groveland, ballot question.

Micro-pigmentation zoning.

Water storage and treatment, contracts.

Pregnancy prevention.
By Mr. Cabral of New Bedford, for the committee on Human Services and Elderly Affairs, on a petition, a Bill relative to pregnancy prevention (House, No. 1115). Read; and referred, under Rule 33, to the committee on Ways and Means.

Emergency Measure.

Political party committees.
The engrossed Bill extending the time for political party committees to organize in the current year (see Senate, No. 2264), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 6 to 0. Sent to the Senate for concurrence.

Bill enacted.
Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the Senate) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Engrossed Bills.

Bill enacted.
The engrossed Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey certain land to the Roxbury/South End Tenants' Council, Inc., D/B/A Roxse Tenants Council (see Senate, No. 2181, amended) (which originated in the Senate), in respect to which the Senate had concurred in adoption of the emergency preamble, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bills enacted.
Engrossed bills
Authorizing the appointment of Kenneth E. Wright as a police officer in the town of Mansfield (see Senate, No. 1589); and
Designating a certain roadway in the Veterans' Memorial cemetery in the town of Winchendon (see Senate, No. 2126);
(Which severally originated in the Senate);
Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Orders of the Day.

Third reading bills.
Senate bills
Establishing a traffic commission in the city of Westfield (Senate, No. 1932); and
Relative to the designation of a scenic byway in the towns of Hadley and South Hadley (Senate, No. 2012);
Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed, in concurrence.

Third reading bill.
The House Bill relative to the removal of veterans' commemorative flag holders (House, No. 2390), reported by the committee on

Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. Finneran of Boston,—
Ordered, That when the House adjourns today, it adjourn to meet tomorrow at eleven o'clock A.M. Next sitting.

At fourteen minutes before twelve o'clock noon, on motion of Mr. Peterson of Grafton (Mr. Petruccelli of Boston being in the Chair), the House adjourned, to meet tomorrow at eleven o'clock A.M., in an Informal Session.